

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PHOENIX BOND & INDEM. CO., <i>et al.</i>,)	
)	
Plaintiffs)	No. 05 cv 4095
)	
JOHN BRIDGE, <i>et al.</i>)	Judge Matthew Kennelly
)	
Defendants.)	

**RESPONSE AND NOTICE OF NO OBJECTION TO PLAINTIFFS' MOTION FOR
ISSUANCE OF TRIAL SUBPOENAS TO DEFENDANTS', KIRK ALLISON AND
VINAYA JESSANI, [Dkt. No. 781]**

Defendants Kirk Allison and Vinaya Jessani, through undersigned counsel, submit this response and notice of no objection to Plaintiffs' Motion for Issuance of Trial Subpoenas to Defendants Kirk Allison and Vinaya Jessani. (Dkt. No. 781.) and ask this Court to rule on the Plaintiffs' Motion on the papers and waive court appearance.

As undersigned counsel would have informed Plaintiffs' counsel, had they asked before filing Plaintiffs' Motion, Messrs. Allison and Jessani have no objection to Plaintiffs' request that this Court issue the subpoenas. At this time, however, their counsel are not authorized to accept service of the subpoenas or to waive Messrs. Allison's and Jessani's right to contest or move to quash subpoenas when and if they are served.

In order to adequately protect their clients' rights, and consistent with their obligations to their clients, counsel for Messrs. Allison and Jessani had to confer with and advise their clients, and that process apparently took more time than Plaintiffs' counsel would have liked. Although Plaintiffs' counsel "assumed" that all counsel in this case would accept service of trial subpoenas, that assumption was incorrect.

Messrs. Allison and Jessani do not waive, and specifically reserve, their rights to contest, move to quash, or move for a protective order or other appropriate relief relating to the trial subpoenas when and if they are served.

Dated: September 25, 2011

Respectfully Submitted,

KIRK ALLISON AND VINAYA JESSANI

By: /s/ Richard J. Pearl

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